IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.2136-M of 2007

DATE OF DECISION: MARCH 9, 2007

Virender Singh

...PETITIONER

VERSUS

Dalbir Singh and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Devender Punia, Advocate,
for the petitioner.

Mr.S.S.Mor, Sr.DAG,Haryana,
for respondent No.2.

...

Petitioner Virender Singh apprehending his arrest in a non-bailable offence in complaint case titled as Dalbir Singh Versus Virender Singh and another, pending before the ACJM, Panipat under Sections 323/506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

As per office report, service is complete. However, none is present on behalf of respondent No.1.

While issuing notice of motion on January 16, 2007, the arrest of the petitioner was stayed subject to the condition that he will appear before the trial court and furnish his regular bail bonds to its satisfaction.

I have heard the counsel for the petitioner and counsel for respondent No.2.

Counsel for the petitioner contends that the petitioner is working as Assistant District Attorney at Panipat whereas in the same office the complainant is working as Stenographer. Counsel further contends that a false complaint pertaining to an occurrence dated 13.1.2005 was made by the complainant to the authorities as well as to the police. The said

complaint was duly inquired into by DSP, Panipat and after investigation the allegations made by the complainant were found to be false. Counsel contends that the complainant is in the habit of making false complaints against other officers and further on the complaint made by him, an enquiry was conducted by District Attorney, who also found the allegations made by the complainant as false. On the same allegations, now the petitioner has been summoned on a private complaint.

Counsel for the petitioner further contends that in terms of the aforesaid interim order, the petitioner has appeared before the trial court and furnished his regular bail bonds which have been accepted and attested.

In view of the aforesaid facts, the interim order dated January 16, 2007 is made absolute.

Disposed of accordingly.

March 9, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE